

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	MAIL STOP AF
Elizabeth Colbert et al.)	Group Art Unit: 1796
Application No.: 10/824,336)	Examiner: EDWARD J CAIN
Filed: April 14, 2004)	Confirmation No.: 5383
For: COATING FOR WALL)	
CONSTRUCTION)	OK to Enter
)	
)	
)	

AFTER FINAL RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

/EC/

04/18/2008

Sir:

In response to the Advisory Action dated 10 April 2008, please consider the following remarks:

REMARKS

The Examiner is thanked for the careful examination of the present application. In an After Final Amendment of 35 March 2008, applicants merely canceled claims and adopted the Examiner's suggestions, thereby requiring only a cursory review by the Examiner. In the Advisory Action of 10 April 2008, the Examiner agreed to enter the claim amendments, but indicated that co-pending application 10/823,428 was not officially abandoned, and accordingly, the double patenting rejections could not be withdrawn.

Co-pending application 10/823,428 is now officially abandoned, as shown by the screen shot below:

10/823,428		Coating for wall construction						
Select New Case	Application Data	Transaction History	Image File Wrapper	Published Documents	Address & Attorney/Agent	Assignments	Display References	Publication Review
Transaction History								
Date	Transaction Description							
04-14-2008	Abandonment for Failure to Respond to Office Action							
02-01-2008	Case Docketed to Examiner in GAU							
08-06-2007	Reference capture on IDS							
08-06-2007	Information Disclosure Statement (IDS) Filed							
08-06-2007	Information Disclosure Statement (IDS) Filed							
07-18-2007	Mail Non-Final Rejection							
07-18-2007	Mail Final Rejection							

Accordingly, in view of the amendments in the After Final Amendment of 35 March 2008, and the abandonment of co-pending application 10/823,428, all pending claims should now be allowed.

Conclusion

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: April 16, 2008

By: _____

A handwritten signature in black ink, appearing to read "T.D. Boone". The signature is written in a cursive, stylized font.

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